

UNITED STATES SOUTHERN DIST. COURT - NEW YORK COUNTY

WILLIAM DIAZ ET ANO,
PLAINTIFF

- vs. -

CITY OF NEW YORK ET AL,
DEFENDANT

Index No: 08 CV 4391

Date Filed: / /

Office No:

Court Date:

STATE OF NEW YORK COUNTY OF NEW YORK :SS:

IAN ELLISON being duly sworn, deposes and says;

I AM OVER THE AGE OF 18 YEARS AND RESIDE IN THE STATE OF NEW YORK.

Deponent served the **SUMMONS AND COMPLAINT JUDGES INDIVIDUALS PRACTICES ECF INSTRUCTIONS, PROCEDURES & GUIDELINES** upon the **DEFENDANT EXECUTIVE OFFICER VINCENT CAPUTO** on **05/15/2008** at **03:35PM** at **43-83 HAZEN STREET % Emergency Service Unit, ELMHURST, NY 11370** actual place of business of the **DEFENDANT** by delivering thereat a true copy to **CAPT. "JOHN" NELSON, CO-WORKER OF THE DEFENDANT**, a person of suitable age and discretion whose approximate description is as follows:

SEX: MALE

COLOR: BROWN

HAIR: BALD

APP. AGE: 44

APP. HT: 5'11

APP. WT: 210

OTHER IDENTIFYING FEATURES:

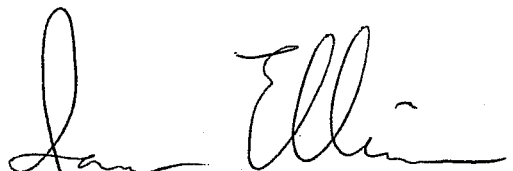
Deponent also mailed a copy of same in an official depository under the exclusive care and custody of the United States Post Office Department within New York State on **05/19/2008** by first class mail to:

EXECUTIVE OFFICER VINCENT CAPUTO
43-83 HAZEN STREET % Emergency Service Unit, ELMHURST, NY 11370

That address being **actual place of business of the DEFENDANT**, in an envelope bearing the legend "PERSONAL AND CONFIDENTIAL", and not indicating on the outside thereof, by return address or otherwise that said notice is from an attorney or concerns an action against the person served.

Sworn to before me on **05/19/2008**.

HARVEY TAUBER
Notary Public, State of New York
No. 01TA4667012
Qualified in BRONX
Commission Expires 12/31/2010


IAN ELLISON - 1278415
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ML